

United States District Court

SOUTHERN DISTRICT OF CALIFORNIA

MELFORD WILSON, an individual,

vs

CITY OF SAN DIEGO, a municipal
corporation, SAN DIEGO POLICE
DEPARTMENT, WILLIAM
LANDSDOWNE, an individual, KEN
DAVIS, an individual, and DOES 1-
100 inclusive,

SUMMONS IN A CIVIL ACTION

Case No. **09 CV 0219** **JLS WMc**

TO: (Name and Address of Defendant)

Ken Davis
1401 Broadway
San Diego, CA 92101-5729

YOU ARE HEREBY SUMMONED and required to file with the Clerk of this Court and
serve upon PLAINTIFF'S ATTORNEY

Eugene G. Iredale
105 West F Street 4th floor
San Diego, California 92101
(619)233-1525

An answer to the complaint which is herewith served upon you, within 20 days after
service of this summons upon you, exclusive of the day of service. If you fail to do so, judgment
by default will be taken against you for the relief demanded in the complaint.

W. Samuel Hamrick, Jr.

CLERK

2/5/08

DATE

By

S. YAP TANG CO

, Deputy Clerk

Summons in a Civil Action

Page 1 of 2

RETURN OF SERVICE			
Service of the Summons and Complaint was made by me		DATE	
NAME OF SERVER		TITLE	
Check one box below to indicate appropriate method of service			
<input type="checkbox"/> Served personally upon the defendant. Place where served: _____			
<input type="checkbox"/> Left copies thereof at the defendant's dwelling, house or usual place of abode with a person of suitable age and discretion then residing therein:			
Name of person with whom the summons and complaint were left: _____			
<input type="checkbox"/> Return unexecuted:			
<input type="checkbox"/> Other (specify):			
STATEMENT OF SERVICE FEES			
TRAVEL		SERVICES	TOTAL \$0.00
<div style="text-align: center;">DECLARATION OF SERVER</div> <p>I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service is true and correct.</p> <p>Executed on: <u>February 23, 2009</u> <u>[Signature]</u></p> <p style="text-align: center;">Date Signature of Server</p> <p style="text-align: center;"><u>105 W. F St., 4th Fl., San Diego, CA 92101</u></p> <p style="text-align: center;">Address of Server</p>			
<div style="text-align: center;"><u>NOTICE OF RIGHT TO CONSENT TO TRIAL BY A UNITED STATES MAGISTRATE</u></div> <p>IN ACCORDANCE WITH THE PROVISION OF 28 USC 636(C) YOU ARE HEREBY NOTIFIED THAT A U.S. MAGISTRATE OF THIS DISTRICT MAY, UPON CONSENT OF ALL PARTIES, CONDUCT ANY OR ALL PROCEEDINGS, INCLUDING A JURY OR NON-JURY TRIAL, AND ORDER THE ENTRY OF A FINAL JUDGMENT. <u>COUNSEL FOR THE PLAINTIFF HAS RECEIVED A CONSENT FORM.</u></p> <p>YOU SHOULD BE AWARE THAT YOUR DECISION TO CONSENT OR NOT CONSENT IS ENTIRELY VOLUNTARY AND SHOULD BE COMMUNICATED SOLELY TO THE CLERK OF COURT. ONLY IF ALL PARTIES CONSENT WILL THE JUDGE OR MAGISTRATE TO WHOM THE CASE HAS BEEN ASSIGNED BE INFORMED OF YOUR DECISION.</p> <p>JUDGEMENTS OF THE U.S. MAGISTRATES ARE APPEALABLE TO THE U.S. COURT OF APPEALS IN ACCORDANCE WITH THIS STATUTE AND THE FEDERAL RULES OF APPELLATE PROCEDURE.</p>			

1) As to who may serve a summons see Rule 4 of the Federal Rules of Civil Procedure